

REMARKS

Favorable reconsideration of this application as presented herein is requested. Claims 1-8 are pending in the present application. In the above amendments, claims 5-8 have been amended. No new matter has been added.

In the Office Action mailed April 9, 2004, the Examiner rejected claims 1-7 under 35 U.S.C. § 102 and claim 8 under 35 U.S.C. § 103.

Applicants respectfully respond to this Office Action.

Claim Rejections under 35 U.S.C. § 102

The Examiner rejected claims 1-7 under 35 U.S.C. § 102(a) as being anticipated by Patent No. WO 02/01732 to Juha Ylitalo.

The present invention enables a single transmitter to optimize signals transmitted to a particular subscriber station such that multipath interference is reduced or eliminated.

The rejection contends that Ylitalo teaches a means for generating pre-correction delays and weights based on said channel estimate information. With respect, the Examiner's argument is traversed. The Ylitalo Patent does not describe delays that are provided to weighting units. Ylitalo merely proposes a delay distribution. In the present invention, in order to form a beam for the path associated with delay 404A, the output of the delay 404A must be adjusted for each of the M transmit antennas 104. The output of delay 404A is provided to M weighting units 406. Each of the weighting units 406 applies a weight f that is specific to a single antenna 104 and the transmit beam or path corresponding to the delay 404A. (See Applicants' Specification, p.9, par.1031.)

Claims 1-4 already contained this feature and claims 5-7 were amended in order to emphasize the above-mentioned feature. Consequently, the Ylitalo patent does not anticipate the structure defined in claims 1-7 of the present application under 35 U.S.C. § 102(a) for at least the foregoing reasons. Since the Ylitalo patent does not render claims 1-7, as amended, unpatentable Applicants respectfully submit that the rejections thereof be withdrawn by the Examiner.

Claim Rejections under 35 U.S.C. § 103

Next, the Examiner rejected claim 8 under 35 U.S.C. § 103 as being unpatentable over Juha Ylitalo in view of U.S. Patent No. 6,070,086 to Dobrica. To establish a prima facie case of obviousness three basic criteria must be met. First, there must be some suggestion or motivation of, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference(s) must teach or suggest all the claim limitations.

This rejection has become moot because claim 8 has been amended to include the above-mentioned feature. The Dobrica patent also does not describe delays that are provided to weighting units.

Applicants thus respectfully submit that claim 8 is not rendered obvious by the Juha Ylitalo patent when considered alone or in combination with Dobrica.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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